

Application No. 10/537,332
Response to Notice of Non-Compliant Amendment

Docket No.: 209546-98124

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to "FIG. 1" on drawing sheet 1 of 4.
Drawing sheet 1 of 4 now includes an assembled, cross-sectional view of the partial laminated headliner assembly.

Attachment: Replacement sheet

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REMARKS

Claims 1-12 were pending in this application. By this amendment, claims 1-2 and 10-12 have been amended. No claims have been cancelled. Claims 3-9 were previously withdrawn. Claims 13-17 have been added. Accordingly, claims 1-17 will be pending upon entry of this paper. Favorable reconsideration is respectfully requested in light of the foregoing amendments and the following remarks.

I. Formal Matters

A. Applicant thanks Examiner Patel for the courtesies extended to Applicant's representative, Timothy M. Bogel, in the 7/8/08 teleconference.

B. To assist Examiner Patel's understanding of the amendment to claim 1 and new claim 13, Applicant provides the following remarks. Applicant has deleted a "wherein clause" from claim 1. The deleted "wherein clause" from claim 1 now appears in newly-added dependent claim 13. Accordingly, no new matter has been added.

C. Newly-added claims 14-16 further narrow the claimed catalyst recited in independent claim 1. The limitations recited in claims 14-16 may be found at paragraph [0016] of the originally-filed specification.

D. Newly-added claim 17 recites a fabric covering.

II. Election / Restriction

Applicant acknowledges Examiner Patel's remarks on page 2 of the Office Action. Applicant respectfully traverses Examiner Patel's remarks for at least the reasons set forth in the 2/8/08 Election. Accordingly, Applicant acknowledges his right to petition the requirement for restriction according to M.P.E.P. §818.03(c), 8th Ed., 6th Rev. (September, 2007).

III. Objection To The Drawings

In view of the 7/8/08 teleconference with Applicant's representative, Examiner Patel indicated that the objection to the drawings could be overcome by way of an amendment to FIG. 1. Accordingly, Applicant has amended FIG. 1. For convenience, Applicant reproduces amended FIG. 1 below, showing a newly-added, assembled, cross-sectional view to the right of the previously-presented, exploded, cross-sectional view.

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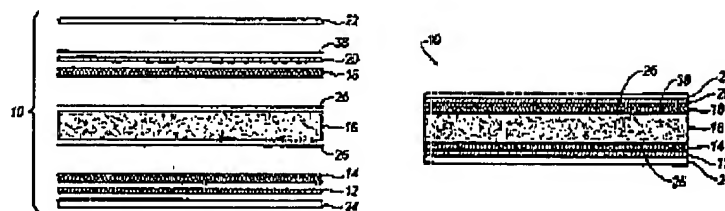


FIG. 1

It is respectfully submitted that originally-filed FIG. 1 and claim 1 supports the amendment to FIG. 1. Therefore, no new matter has been added to FIG. 1. Entry of the amendment to FIG. 1 is requested.

In view of the above-identified amendment to FIG. 1, it is respectfully submitted that the objection to the Drawings is overcome and should be withdrawn.

IV. Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 1-2 and 10-12 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, Examiner Patel pointed out that what is shown in the Figures is different from what is claimed.

Applicant has amended claims 1-2 and 10-12 to further clarify the claimed subject matter of the present invention in view of the amendment to FIG. 1 as identified above. Accordingly, in view of the amendment to claims 1-2, 10-12 and FIG. 1, Applicant hereby submits that the rejection to claims 1-2 and 10-12 has been overcome. Withdrawal of the rejection to claims 1-2 and 10-12 is hereby requested.

V. Rejections Under 35 U.S.C. § 102(e)

Claims 1-2 and 10-12 were rejected under 35 U.S.C. § 102(e) in view of U.S. 6,793,747 to North et al. ("North"). In view of the foregoing remarks, the rejection is respectfully traversed.

Regarding Independent Claim 1 & Dependent Claim 2

Applicant has studied the rejection of claims 1-2 and 10-12 at page 4 of the Office Action and respectfully points out that only the limitations of claims 1 and 2 have been mentioned in view of North's teachings. The record remains *completely silent* regarding the limitations

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recited in claims 10-12. In order to support a rejection of the limitations recited in claims 1 and 2, Examiner Patel points to North's Abstract. Applicant respectfully disagrees.

After reviewing North's Abstract, Applicant is not able to find any mention of the claimed catalyst. Although no particular reference numeral, Figure, column or line number was cited by Examiner Patel to support a rejection of the claimed catalyst, Applicant has independently inspected North in order to determine if North provided support for a rejection of the claimed catalyst. Applicant respectfully submits that support for a rejection of the claimed catalyst is nowhere to be found in North's disclosure.

Further, Applicant has provided new claims 14-16 to further clarify the claimed catalyst. In an embodiment, the catalyst includes water and polyol. In an embodiment, the claimed catalyst includes 95% water and 5% polyol. In an embodiment, the claimed polyol includes means for reducing an amount of time for the binding agent to bond with the first layer of chopped fiberglass and the layer of core material by facilitating a reaction between the water of the catalyst and the binding agent. Accordingly, in view of the newly-added limitations found at claims 14-16, Applicant has investigated North's disclosure, and is also unable to locate any specific teaching, mention or disclosure of one or more of the limitations recited in claims 14-16.

In view of the above remarks, it is respectfully submitted that North does not anticipate the claimed invention as recited in claims 1 and 2. Allowance of independent claims 1 and 2 is therefore requested.

Regarding Dependent Claims 10-12

Claims 10-12 are in dependent form, depending from independent claim 1. Although claims 10-12 have been mentioned by name at page 4 of the Office Action, it is respectfully submitted that the Office Action remains *completely silent* regarding specific mentioning of the limitations recited in claims 10-12 in view of what is disclosed by the art of record. Therefore, Applicant respectfully submits that dependent claims 10-12 are in allowable form. Withdrawal of the rejection to claims 10-12 is requested.

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Conclusion

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-3145, under Order No. 209546-98124 from which the undersigned is authorized to draw.

Dated: 8/29/2008

Respectfully submitted,

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Attachments

OAKLAND.1524636.1

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REPLACEMENT SHEET